

Applicant's Interview Summary

The following is Applicant's interview summary pursuant to MPEP 713.04 for the interview conducted on June 14, 2010. Applicant expresses appreciation to the Examiner for his time and effort associated with the subject interview, and for approaching the subject interview with an open mind regarding Applicant's position regarding patentability.

During the interview, it was discussed how the claims could be modified to overcome the examiner's 35 USC Section 101 and 112 rejection. Without conceding the propriety of the rejections and in the interest of expediting prosecution, I also proposed several possible clarifying amendments.

I understood the Examiner to tentatively concur with the proposed amendment to independent claims. Applicant herein amends the claims in the manner discussed during the interview. Accordingly, Applicant submits that the pending claims recite statutory subject matter that is allowable for at least the reasons discussed during the interview.

Applicant respectfully continues to assert or maintain its position regarding any and all claims discussed during the interview, contests any assertion(s) made by the Examiner during the interview or in the Examiner's Interview Summary (unless otherwise stated in writing), and hereby reserves the right to address such assertions or any other issues related to the present application in this or any subsequent forum.

Similarly, the fact that any rejections and/or statements made by the Examiner during the interview, or in the Examiner's subsequent Interview Summary, may not be explicitly addressed by Applicant herein or during the interview, should NOT be taken as an admission of any sort, and Applicant hereby reserves any and all rights to contest such rejections and/or statements at a later time. Specifically, no waiver (legal, factual, or otherwise), implicit or explicit, is hereby intended (e.g., with respect to any facts of which Examiner took Official Notice, and/or for which Examiner has supplied no objective showing, Applicant hereby contests those facts and requests express documentary proof of such facts at such time at which such facts may become relevant). Although not expressly set forth herein, Applicant continues to assert all points of (e.g. caused by, resulting from, responsive to, etc.) any previous Office Action, and no waiver (legal, factual, or otherwise), implicit or explicit, is hereby intended.